

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Jay S. Walker, et al.

Group Art Unit: 3625

Serial No.: 09/507,262

Examiner: James Zurita

Filed: February 18, 2000

For: CONDITIONAL PURCHASE OFFER MANAGEMENT SYSTEM

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:

2. For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.

3. Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. _____, filed _____.

4. No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or

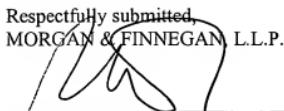
- 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
 - 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
 - 37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5. No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
 - A check in the amount of \$180.00 is enclosed in payment of the fee.
 - Charge the fee to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
 - a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.
8. A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - a. 37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
 - b. 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).

- c. The fees due under 37 C.F.R. §§1.17(h) and 1.17(p) are paid as set forth in paragraph 11 below.
9. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. This document is accompanied by a Search Report Communication which was cited in a corresponding PCT application number _____ or Foreign counterpart application
11. A check in the amount of \$ _____ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).
- Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3553-4020US3. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Dated: March 19, 2003

By:

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.


Walter G. Hanchuk
Registration No. 35,179

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile

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SUPPLEMENTAL COMMUNICATION

Sir:

Further to Applicants' March 4, 2003 Amendment, Applicants respectfully submit a courtesy copy of each reference previously cited in an Information Disclosure Statement. Each of these references was previously cited in a parent application and cited in a previous IDS in the instant application. Applicants respectfully submit that the previously filed IDS was properly filed, and a copy of the cited references was not required because each of these references had been cited in a parent application. Applicants nevertheless respectfully submit a courtesy copy of these references to facilitate the Examiner's review and consideration. Accordingly, no fee is believed necessary for consideration of these references.

AUTHORIZATION

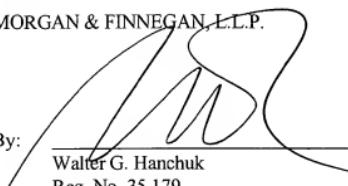
The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account 13-4500, Order No. 3553-4020US3.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 3553-4020US3. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

By:


Walter G. Hanchuk
Reg. No. 35,179

Dated: March 19, 2003

Mailing Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, New York 10154
(212) 758-4800
(212) 751-6849 Telecopier

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 3553-4020US3	SERIAL NO. 09/507,262
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)		APPLICANT Jay S. Walker, et al.	
		FILING DATE 02/18/00	GROUP ART UNIT 3625

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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	5,835,896	11/10/98	Fisher, et al.			
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	5,826,244	10/20/98	Huberman			
	5,799,285	8/25/98	Klingman			
	5,797,127	8/18/98	Jay S. Walker, et al.			
	5,794,219	8/11/98	Brown			
	5,794,207	8/11/98	Walker, et al.			
	5,758,328	5/26/98	Giovannoli			
	5,757,917	5/26/98	Rose, et al.			

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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	97/46961	12/11/97	WIPO				X
	96/34356	10/31/96	WIPO				X

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		Fishkin, Ken, Foresight Exchange Tutorial: (http://www.ideosphere.com/fx/docs/tutorial.html) February 19, 1999 at pge. 1 – 5
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

#10 9-25-03
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Sheet 2 of 11

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		Jeffrey Davis, "Big Storm rising", Business 2.0, September, 1998 at p. 60.
		Suite 101.com (http://www.suite101.com/doc.cfm.presskit/questions), 1998.

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	5,553,131	9/3/96	Minervino, Jr., et al.			
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	5,519,769	5/21/96	Weinberger, et al.			
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		Hapgood, Fred 'bidder Harvest', September 1997, pge 58.
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	4,931,932	6/5/90	Dalnekoff, et. al.			
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EXAMINER

James Zuniga

DATE CONSIDERED

12/15/2009

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